

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

LEIGHTON TECHNOLOGIES LLC,)
)
Plaintiff,)
)
vs) Case No.
) 04-cv-02496 (CM) (LMS)
OBERTHUR CARD SYSTEMS, S.A.,)
OBERTHUR CARD SYSTEMS OF)
AMERICA CORPORATION,)
)
Defendants.)

ORIGINAL

Deposition of Yann Limelette
taken on
Thursday, November 17, 2005

Reported by: Shelle Higgins
CSR NO. 10455

1 Q. What is a weight compensated laminating
2 machine? If you can explain it?

3 A. I'm thinking.

4 It's designed to restrict pressure on each
5 stage.

6 Q. Are you familiar with the term "platen,"
7 P-L-A-T-E-N?

8 A. No.

9 Q. What do you call the flat metal plates in a
10 laminating machine?

11 A. Plates.

12 Q. What do you call the opening between the
13 plates in a laminating machine?

14 A. I don't understand.

15 Q. Have you ever heard of a term "daylight"?

16 A. Yes.

17 Q. Have you ever heard of the term daylight being
18 referred to as the opening between the plates in a
19 laminating machine?

20 A. No.

21 Q. Okay. Now, in a Laufer laminating machine,
22 you indicated it's designed to restrict the pressure
23 of the plates; is that correct?

24 A. No, I didn't say plates. I said between the
25 stages.

1 Q. What do you mean by "stages"?

2 A. There are different machines with anywhere
3 between one and ten stages.

4 Q. Now, what would you refer to the bottom stage
5 as, number ten or number one?

6 A. That's irrelevant.

7 Q. Well, let me just -- let's say, let's refer to
8 the bottom stage as number ten, okay?

9 A. Okay.

10 Q. As you close the laminating machine, is the
11 weight compensation designed to reduce the pressure on
12 stage ten?

13 A. It's designed to reduce the pressure on each
14 stage.

15 Q. Including stage ten; correct?

16 A. Yes.

17 Q. And that's because the plates weigh a lot;
18 don't they?

19 A. Yes.

20 Q. And those plates -- well, as those plates are
21 closed there would be a lot of weight placed on stage
22 ten; wouldn't there?

23 A. Yes, that is where maximum weight is exerted.

24 Q. And the weight compensating machine takes the
25 weight off of -- the maximum weight off of stage ten;

1 correct?

2 A. The machine is designed in such a way as to
3 exert the same weight on every stage.

4 Q. Without the weight compensation feature, if
5 you closed the machine, would there be more weight on
6 stage ten then stage one?

7 A. Yes.

8 Q. And that's because all of the plates would be
9 weighing on the bottom stage; correct?

10 A. The plates in the various stages of the
11 machine.

12 Q. How much does each plate weigh in the machine
13 approximately, if you know?

14 A. I don't know.

15 Q. Is it something that you could lift up if you
16 wanted to?

17 A. I never tried.

18 Q. Does it weigh more than you do?

19 A. Maybe not. I don't think so.

20 Q. Okay. Now, I'm sorry, I may have asked this
21 question. But you indicated you do not know how long
22 Exton has had a weight compensated laminating machine?

23 A. Yes, that is correct. I don't know. It's the
24 people in charge of equipment who know that.

25 Q. Does Vitré have weight compensated laminating

1 machines?

2 A. Yes.

3 Q. What type of weight compensated laminating
4 machines does Vitré have?

5 A. You mean the name of the machine?

6 Q. Correct. The manufacturer name?

7 A. Burkle.

8 Q. How many weight compensated laminating
9 machines are there at Vitré?

10 A. One.

11 Q. How many stages does that machine have?

12 A. Six.

13 Q. Are you familiar with the term "stacks"?

14 A. Yes.

15 Q. How many stacks does that laminating machine
16 have?

17 A. Two.

18 Q. At Vitré do you use the weight compensated
19 laminating machines to make contactless cards?

20 A. Yes.

21 Q. Why do you use weight compensated laminating
22 machines to use contactless cards?

23 A. To have identical weight exerted on every
24 stage.

25 Q. If you do not use weight compensated

1 laminating machines to make contactless cards, are you
2 aware of any problems that might occur?

3 A. Yes. There may be problems, yes.

4 Q. What problems would those be?

5 A. Overpressure problems.

6 Q. What would overpressure do to a contactless
7 card in the laminating process?

8 A. It would damage the component.

9 Q. The chip?

10 A. Yes.

11 Q. Would overpressure have any other impact on a
12 contactless card other than damaging the component?

13 A. Yes.

14 Q. What other problems?

15 A. Excessive material movements or displacement.

16 Q. How would that impact the manufacture of the
17 card?

18 A. With regard to which problem?

19 Q. Would excessive material movement be a problem
20 in manufacturing a contactless card?

21 A. Yes.

22 Q. Why?

23 A. There would be an increase in the distance
24 between two antennas. After lamination when you cut,
25 when you do the cutting, the antenna position may

1 change.

2 Q. That would mean you might cut the antenna;
3 correct?

4 A. Yes.

5 Q. And that's not something you want to do in the
6 manufacturer of a contactless card; is it?

7 A. No, of course.

8 MR. ROBERT GUTKIN: It's a language problem.
9 It sounds easy but I just can't ask it in English
10 so...

11 (Laughter.)

12 BY MR. GUTKIN:

13 Q. Other than Lauffer or Burkle, what other
14 manufacturers of laminating machines are you aware of?

15 A. Still existing today you mean?

16 Q. What manufacturers are there today of
17 laminating machines?

18 A. Sysco I believe.

19 Oakwood. Although, I'm not sure they are
20 still around or whether they still manufacture
21 laminating machines. I'm not in the Equipment
22 Department.

23 Q. Does Muhlbauer make laminating machines?

24 A. I don't know.

25 Q. Do you know what manufacturers today make

1 **MR. JAMES JACOBS:** Is that the question you
2 want?

3 **MR. ROBERT GUTKIN:** Yes, but I can rephrase it
4 if you think it's confusing.

5 Let's see if he answers it.

6 **THE WITNESS:** So we define it as it's shown
7 here, but then according to the facility there can be
8 differences. For instance, as far as the glue used is
9 concerned.

10 **BY MR. ROBERT GUTKIN:**

11 **Q.** But the way the card is assembled, whether
12 they use vinyl glue or some other glue would be the
13 same as what's shown here except for the inlays;
14 correct?

15 **MR. JAMES JACOBS:** Object to form.

16 **THE WITNESS:** Yes.

17 **BY MR. ROBERT GUTKIN:**

18 **Q.** Okay. Now can you turn to page 3.

19 Do you see at the bottom part of the page
20 you've written as point two, under point two specific
21 lamination conditions required?

22 **A.** Yes.

23 **Q.** And you've indicated low pressure and
24 temperature and specific equipment with pressure
25 compensation system?

1 A. Yes.

2 Q. And is the reason you want to use the specific
3 equipment with pressure compensation to avoid the
4 problems we discussed earlier?

5 MR. JAMES JACOBS: Object to the form.

6 THE WITNESS: Yes.

7 BY MR. ROBERT GUTKIN:

8 Q. And those problems were damaging the
9 components and keeping the materials from moving;
10 correct?

11 A. That is correct.

12 Q. Okay. Can you turn to the next page which is
13 page 4.

14 Before we go on there. When you prepared this
15 document, did you originally prepare it in French or
16 in English?

17 A. First in French.

18 Q. First in French.

19 And did you translate it into English?

20 A. Yes.

21 Q. You did a very good job. Of course, I don't
22 know what the French says but it looks like it's good
23 English.

24 A. I do my best.

25 Q. Looking under number three, do you see

1 that first point?

2 MR. JAMES JACOBS: Object to the form.

3 THE WITNESS: No, I still would not understand
4 that.

5 BY MR. ROBERT GUTKIN:

6 Q. What about that sentence is confusing to you?

7 A. Well, zero and compensation.

8 Q. Let's go back to the first point. Let me ask
9 the question: If you are making a contactless card on
10 a weight compensated laminating machine, I believe you
11 indicated earlier that weight compensation helps to
12 keep the components from being damaged; is that
13 correct?

14 MR. JAMES JACOBS: Objection to form.

15 THE WITNESS: That's right.

16 BY MR. ROBERT GUTKIN:

17 Q. Now, can you look at the second bullet point
18 on that page. Do you understand that bullet point?

19 A. No, I don't.

20 Q. Do you understand the bullet point underneath
21 it that says:

22 "Soften plastic then ease in chip".

23 A. I understand that sentence, yes.

24 Q. What is your understanding of that sentence?

25 A. The individual who prepared this recommends

1 that soft compensation layers be used.

2 Q. Do you have any understanding as to why you
3 would want to use soft compensation layers in
4 laminating contactless cards?

5 A. What I would say is you need to apply as
6 little pressure as possible on the chip so as not to
7 damage it.

8 Q. And in order to soften the compensation
9 layers, is it correct that you would need to heat them
10 up to soften them?

11 A. It all depends on the lamination conditions.

12 Q. What lamination conditions would exist where
13 you wouldn't have to heat up the plastic to soften it?

14 A. Could you repeat the question?

15 Q. Sure. You indicated it all depends on the
16 lamination conditions.

17 My question is: What lamination conditions
18 does it depend on?

19 MR. JAMES JACOBS: Objection to form.

20 BY MR. ROBERT GUTKIN:

21 Q. You can answer.

22 MR. JAMES JACOBS: It might be helpful --

23 MR. ROBERT GUTKIN: It's okay, let him answer
24 the question please.

25 MR. JAMES JACOBS: Objection to form.

1 Do you understand it?

2 THE WITNESS: Actually, it's a combination
3 point between the vicat point of the compensation
4 layer and temperature. Both are related. They are
5 related.

6 BY MR. ROBERT GUTKIN:

7 Q. How are they related?

8 A. The higher the vicat point, the more it will
9 be necessary to heat to compensate.

10 Q. In the contactless cards that you manufacture
11 at Vitré, the compensation layers are sometimes made
12 from PVC; aren't they?

13 A. We buy prelams.

14 Q. So you don't know from reading this whether
15 it's necessary to soften the prelam to ease in the
16 chip as part of the lamination cycle to make
17 contactless cards; is that correct?

18 A. That is correct. I can't tell from reading.

19 Q. Are you aware of any contactless cards that
20 have been made by Oberthur without using prelams?

21 A. No, I'm not. I don't.

22 Q. So the only contactless cards that you're
23 aware of that Oberthur has made have used prelams;
24 correct?

25 A. As far as contactless cards in Vitré are

1 Thursday, November 17, 2005; Paris, France

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3
4 EXAMINATION

5
6 BY MR. ROBERT GUTKIN:

7 Q. Where did you make the contactless card on the
8 laminator without weight compensation?

9 A. On the machine but without using the
10 compensation feature.

11 Q. And did you do that at Oberthur?

12 A. Yes.

13 Q. And did you make the dual interface card on
14 the laminating machine without using weight
15 compensation as well?

16 A. Yes.

17 Q. But is it correct that you recommend in the
18 lamination process that we discussed earlier using
19 weight compensation?

20 A. Yes, that is correct.

21 Q. Why is that?

22 A. For what cards are you talking about?

23 Q. Let's start for contactless cards?

24 A. To avoid any overpressure that could damage
25 the component.

1 Q. Or cause the material to shift?

2 A. Yes.

3 Q. And would the same be true with respect to the
4 dual interface card made on the laminator without
5 using weight compensation?

6 A. Yes, it the same thing except that on dual
7 interface cards there is no risk on damaging the
8 component so the only possible problems have to be
9 material displacement and cosmetics.

10 MR. ROBERT GUTKIN: Okay. Now, I want to put
11 this on the record. You actually pointed out there
12 was a recommended lamination process on the machine.
13 I really don't want to have to go back through each of
14 these and ask him to find it. And I think I have a
15 proposal that may get us through that problem. I'm
16 not sure it solves my problem, but it may assist in
17 getting through some of these issues we're talking
18 about.

19 What I think would help that if it's possible
20 to print out the available programs on the Burkle
21 weight compensated laminating machine, there's an
22 SSICON2 and it indicates 130. And if there is a
23 printout, he indicated there is some paper I think
24 indicating what those cycles are. If we can get the
25 printout of the different cycles, and I can either go